



EDMUNDO G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**State Water Resources Control Board**  
Division of Drinking Water

November 17, 2014  
System No. 1502449

Larry Schuppan, President  
Cypress Canyon Water Association  
P. O. Box 82  
Lake Isabella, CA 93240

**RE: Non Compliance with the 2013 Consumer Confidence Report (CCR)**  
**Cypress Canyon Water Association**

Dear Mr. Schuppan:

Attached you will find Citation No. 03-19-14C-024 that the State Water Resources Control Board, Division of Drinking Water (hereinafter Division) is issuing to the Cypress Canyon Water Association Water System (hereinafter Water System) to document the Water System's noncompliance with the Consumer Confidence Report (CCR) requirements, as specified in the California Health & Safety Code (CHSC) and Title 22, California Code of Regulations (details provided in Citation No. 03-19-14C-024).

Based on a review of the Division's records, the Cypress Canyon Water Association has failed to provide its customers with the Consumer Confidence Report for the year 2013 and also failed to submit the Certification to the Division of distribution of 2013 CCR to the customers. By a letter dated October 14, 2014, the Division previously notified the Cypress Canyon Water Association about this noncompliance issue and requested submittal of the 2013 CCR and Certification Form by October 31, 2014.

Please note that a written response to the Citation is required by November 25, 2014. In addition, the Citation includes several directives and deadlines. Failure to comply with the citation directives will result in additional enforcement action, including assessment of a civil penalty. If you have any questions concerning any directive of the Citation, please call the Tehachapi District Office of the Division at (661) 335-7315.

Sincerely,

Jaswinder S. Dhaliwal, P.E.  
Senior Sanitary Engineer  
DRINKING WATER FIELD OPERATIONS BRANCH

Enclosure: Citation No. 03-19-14C-024

CC: Kern County Environmental Health Services Department (w/o enclosure)  
Ed Comacho, Cypress Canyon Water Association

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**STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER**

IN RE: **CYPRESS CANYON WATER ASSOCIATION WATER SYSTEM**  
Water System No. 1502449

TO: Larry Schuppan, President  
Cypress Canyon Water Association  
P. O. Box 82  
Lake Isabella, CA 93240

**BY CERTIFIED MAIL**

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,  
TITLE 22, SECTIONS 64480(a), 64483(a) and 64483(c)  
2013 CONSUMER CONFIDENCE REPORT  
CITATION NO. 03-19-14C-024  
Issued on November 17, 2014**

Section 116650 of the California Health and Safety Code (CHSC) authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA") or any regulation, standard, permit or order issued or adopted thereunder.

**STATEMENT OF FACTS**

Cypress Canyon Water Association Water System (hereinafter Water System) is classified as a community water system and serves a population of approximately 50 persons through 34 service connections. The Water System operates under the authority of Permit No. 03-19-11P-001, issued on March 4, 2011, by the California Department of Public Health (now State Water Resources Control Board).



**VIOLATION**

The State Water Resources Control Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director") hereby issues a citation to Cypress Canyon Water Association for failure to comply with Section 116470 of the CHSC, and Sections 64480(a), 64483(a) and 64483(c) of Title 22, California Code of Regulations. Specifically, the Water System failed to distribute by July 1, 2014, a Consumer Confidence Report (CCR) to its customers, providing specific information on the water quality, served to consumers during the year 2013.

**Section 116470(a) Consumer Confidence Report**

Section 116470.(a), CHSC, specifies that as a condition of its operating permit, every public water system shall annually prepare a consumer confidence report and mail or deliver a copy of that report to each customer.

**Section 64480(a) Consumer Confidence Report – Applicability and Distribution**

Section 64480.(a), Title 22, California Code of Regulations, specifies that each community and nontransient-noncommunity water system shall prepare and deliver the first Consumer Confidence Report by July 1, 2001, and subsequent reports by July 1 annually thereafter.

**Section 64483(a) Consumer Confidence Report Delivery and Record Keeping**

Specifies that each water system shall mail or directly deliver one copy of the Consumer Confidence Report to each customer.

**Section 64483(c) Consumer Confidence Report Delivery and Record Keeping**

Specifies that no later than the date the water system is required to distribute the Consumer Confidence Report to its customers, each water system shall mail a copy of the report to the



1 Division, followed within three (3) months by a certification that the report has been  
2 distributed to customers, and that the information is correct and consistent with the  
3 compliance monitoring data, previously submitted to the Division.  
4

5 As described in Section 64481, Title 22, California Code of Regulations, the CCR is to  
6 provide, as a minimum, source of water purveyed by the public water system, specific  
7 information on concentrations of microbiological contaminants, minerals, physical agents,  
8 inorganic chemicals, organic chemicals, radioactivity, sodium, hardness, disinfection by-  
9 products, detected in the water supply, origin of contaminants detected in the water;  
10 explanation of any MCL violation of the primary drinking water standard, enforcement  
11 actions, monitoring & reporting violations, statement of health concerns, terms of a  
12 variance or exemption (if any granted to the water system), contact information of water  
13 system designee for additional information concerning the report. Regulations requiring  
14 community and nontransient noncommunity water supply systems in California to provide a  
15 CCR to customers were adopted and effective on May 26, 2001.  
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17 By a letter dated October 14, 2014, the Division requested a copy of the 2013 CCR and  
18 Certification Form from the Cypress Canyon Water Association. A review of the  
19 Division's records indicates that the Division has **not** received a copy of the 2013 CCR and  
20 Certification Form (2013 CCR provided to customers by the Cypress Canyon Water  
21 Association and certification to the Division that 2013 CCR has been distributed to  
22 customers). **Therefore, the Division has determined that the Cypress Canyon Water**  
23 **Association is in violation of the CCR requirement.** In addition, the Cypress Canyon  
24 Water Association is still required to provide a CCR to its customers and mail a copy along  
25 with the CCR Certification Form to the Division for the year 2014, which are due no later  
26 than July 1, 2015 and July 31, 2015, as described under the Directives.  
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1 The above violations are classified as non-continuing violations.

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3 **DIRECTIVES**

4 Cypress Canyon Water Association is hereby directed to take the following actions:

- 5  
6 1. Cease violating the reporting requirements of Section 116470 of the CHSC, and  
7 Sections 64480(a), 64483(a), and 64483(c) of Title 22, California Code of  
8 Regulations.
- 9 2. By **November 25, 2014**, Cypress Canyon Water Association shall submit a written  
10 response to the Division acknowledging that it has received this citation and will  
11 comply with all the directives listed herein. A copy of the 2013 CCR and  
12 Certification Form shall be included with the response if the Water System  
13 previously issued the 2013 CCR to its customers.
- 14 3. By **July 1, 2015**, Cypress Canyon Water Association shall distribute a Division  
15 approved Consumer Confidence Report to each customer, reporting the water  
16 quality for the year 2014. The following website will serve as a guide to complete  
17 the 2014 CCR accurately.  
18 [http://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/CCR.shtml](http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/CCR.shtml)  
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- 20 4. By **July 31, 2015**, Cypress Canyon Water Association shall submit to the Division  
21 certification of distribution to customers of the 2014 CCR, along with a copy of the  
22 2014 CCR.
- 23  
24 5. In the future, Cypress Canyon Water Association shall distribute a Consumer  
25 Confidence Report to each customer by July 1 of each year, reporting water quality  
26 information for the prior year. A copy of each year's consumer confidence report  
27 shall be provided to the Division within 30 days of issuance of the Consumer



1 Confidence Report and no later than October 1 each year, with proof of distribution,  
2 using the CCR Certification form.

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4 All submittals required by this citation shall be addressed to:

5 Jaswinder S. Dhaliwal, P.E.,  
6 Senior Sanitary Engineer  
7 State Water Resources Control Board  
8 Division of Drinking Water  
9 4925 Commerce Drive, Suite 120  
10 Bakersfield, CA 93309

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20 **FURTHER ENFORCEMENT ACTIONS**

21 Section 116270, Division 104, Part 12, Chapter 4 of the CHSC authorizes the Division to:  
22 issue additional citations with assessment of penalties if the public water system continues  
23 to fail to correct a violation identified in a citation; take action to suspend or revoke a  
24 permit that has been issued to a public water system if the system has violated applicable  
25 law or regulations or has failed to comply with orders of the Division; and petition the  
26 superior court to take various enforcement measures against a public water system that has  
27 failed to comply with orders of the Division. The Division does not waive any further  
enforcement action by issuance of this citation.

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**PARTIES BOUND**

This citation shall apply to and be binding upon Cypress Canyon Water Association, its  
officers, directors, agents, employees, contractors, successors, and assignees.



1 **SEVERABILITY**

2 The directives of this citation are severable, and Cypress Canyon Water Association shall  
3 comply with each and every provision thereof, notwithstanding the effectiveness of any  
4 other provision.

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6 **CIVIL PENALTY**


7 Section 116650, subsections (d) and (e) of the CHSC allow for the assessment of a civil  
8 penalty for the failure to comply with the requirements of the Safe Drinking Water Act.

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10 Failure to comply with any Directive of this Citation may result in the Division imposing an  
11 administrative penalty of not less than \$200 (two hundred dollars) for each day that the  
12 violation continues beyond the date set for correction in this Citation. Cypress Canyon  
13 Water Association has been billed at the current hourly rate of \$128.00 since this is an  
14 enforcement action for noncompliance with the regulations.

15  
16 The Division does not waive any further enforcement action by issuance of this citation,  
17 and expressly reserves the right to issue a citation with penalties for the violations on which  
18 the Directives of this citation are based.

19  
20 November 17, 2014

21 Date

  
Jaswinder S. Dhaliwal, P.E.  
Senior Sanitary Engineer  
Tehachapi District  
SOUTHERN CALIFORNIA BRANCH

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23  
24 cc: Kern County Environmental Health Services Department  
25 Ed Comacho, Cypress Canyon Water Assoc.  
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